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Attorneys for Plaintiff and Counter-defendant
NIDEC CORPORATION and Additional Defendants NIDEC
AMERICA CORPORATION and NIDEC SINGAPORE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

NIDEC CORPORATION

Plaintiff,

v.

VICTOR COMPANY OF JAPAN, LTD., JVC
COMPONENTS (THAILAND) CO., LTD.,
AGILIS INC., and AGILIS TECHNOLOGY
INC.,

Defendants,

NIDEC AMERICA CORPORATION and
NIDEC SINGAPORE PTE, LTD.,

Additional Defendants on
the Counterclaims.

Case No. C05 00686 SBA (EMC)

Action Filed: February 15, 2005

E-Filing

**ORDER MODIFYING PARAGRAPHS A
AND B OF THE ORDER FOR PRETRIAL
PREPARATION (D.I. 283)**

Pursuant to Rule 16(e) of the Federal Rules of Civil Procedure, and to fully reflect the deadlines discussed and established during the Case Management Conference (*see* D.I. 282), the parties stipulate to an order providing that Paragraphs A and B of the Order for Pretrial Preparation entered on October 25, 2006 (D.I. 283) shall be modified to state the following:

A. DISCOVERY CUT-OFF

All discovery, except for expert discovery, depositions in Japan, and willfulness discovery, shall be completed and all depositions taken on or before *1/10/07*. All depositions in Japan shall be taken on or before *3/16/07*. The parties are responsible for scheduling discovery so that motions to resolve discovery disputes can be heard before the above discovery cut-offs.

B. EXPERT DESIGNATION AND EXPERT AND WILLFULNESS DISCOVERY

Plaintiff shall disclose any affirmative experts by *1/16/07*; defendant by *1/16/07*; and rebuttal experts disclosed by *2/16/07*. Any expert not so named may be disallowed as a witness. No expert will be permitted to testify to any opinion, or basis or support for an opinion, that has not been disclosed in response to an appropriate question or interrogatory from the opposing party. Affirmative expert reports shall be due by *3/16/07*; rebuttal expert reports by *4/16/07*. Expert discovery and willfulness discovery shall be completed by *5/16/07*.

C. PRESERVATION OF PRIOR ORDER

To the extent not expressly amended herein, the Court's previous Order dated October 25, 2006 (D.I. 283) shall remain in effect.

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1 AGREED.

2 Respectfully Submitted,

3 Dated: November 1, 2006

MORGAN, LEWIS & BOCKIUS LLP

4 FRANKLIN BROCKWAY GOWDY
5 THOMAS D. KOHLER
6 DAVID C. BOHRER
7 MICHAEL J. LYONS
8 DION M. BREGMAN

9 By: /s/ David C. Bohrer

10 David C. Bohrer

11 Attorneys for Plaintiff and Counter-defendant
12 NIDEC CORPORATION and Additional
13 Defendants NIDEC AMERICA
14 CORPORATION and NIDEC SINGAPORE

15 Dated: November 1, 2006

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23 CHARLES R. MACEDO (*pro hac vice*)

24 By: /s/ Anthony F. Lo Cicero

25 Anthony F. Lo Cicero

26 Attorneys for Defendants and Counter-Plaintiffs
27 VICTOR COMPANY OF JAPAN, LTD. and
28 JVC COMPONENTS (THAILAND) CO., LTD.
and Defendants AGILIS INC., and AGILIS
TECHNOLOGY INC.

IT IS SO ORDERED.

Dated: 11/3/06


SAUNDRA BROWN ARMSTRONG
United States District Judge

1 Pursuant to General Order No. 45, Section X(B) regarding signatures, I, David C. Bohrer, attest
2 that concurrence in the filing of this document has been obtained from each of the other signatories. I
3 declare under penalty of perjury under the laws of the United States of America that the foregoing is
4 true and correct. Executed this 1st day of November, 2006, at Palo Alto, California.

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6 /s/ David C. Bohrer
David C. Bohrer
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